

Guide for Review of Civil Rights-Related Program Requirements for CPD Non-Formula Programs			
Name of Program Participant:			
Staff Consulted:			
Name(s) of Reviewer(s):		Date:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to evaluate the CPD's non-formula program participant's compliance with record keeping requirements pertaining to civil rights-related program requirements. The Exhibit covers any CPD program funded through the Department's Notice of Funding Availability (NOFA) competition, whether the programs are included in the annual SuperNOFA or "stand-alone" NOFAs published during the course of the year. This Exhibit is divided into eight sections: Affirmatively Furthering Fair Housing; Displacement and Relocation; Beneficiary Data; Affirmative Outreach; Program Accessibility; Preferences; Minority and Women's Business Enterprises; and Eligibility for Future Funding.

CPD program participants and their subrecipients are required to maintain records as a condition of the grant award. The specific records required are enumerated in the "General Section" of the SuperNOFA as well as within the individual program NOFAs. Because the record keeping requirements can be written generically, the applicable Grant Agreement also needs to be reviewed in order to respond to this Exhibit's questions. Failure to maintain records is an indication of noncompliance with the record keeping requirements/regulations. While a lack of documentation may not imply discrimination, because the program participant's and subrecipients' data are a basis for further investigating compliance with nondiscrimination requirements, the CPD reviewer is responsible for transmitting this completed Exhibit (including any supporting documentation) to FHEO upon completion of the monitoring (see Sections 22-3 and 22-4 of the introduction to this Chapter).

A. AFFIRMATIVELY FURTHERING FAIR HOUSING

<p>[OS] Does the program participant, when implementing the programs and activities funded through its competitive grant, carry out and maintain records on actions it has taken to affirmatively further fair housing in accordance with the requirements of the Grant Agreement and NOFA? [SuperNOFA, General Section; NOFA, Rating Factor for “Soundness of Approach” and Grant Agreement]</p>	<div> <input type="checkbox"/> <input type="checkbox"/> </div> <div> Yes No </div>
<p>Describe Basis for Conclusion:</p>	

2.

<p>[OS] For the period reviewed, did the program participant maintain records on any persons displaced by any activities funded under the program(s) being monitored, including monitoring project occupancy lists identifying the names and addresses of persons occupying the assisted properties and/or occupying/moving into the assisted properties? (NOTE: This requirement applies even if the <i>specific activity</i> that caused the displacement was not Federally funded.)</p>	<div> <input type="checkbox"/> <input type="checkbox"/> </div> <div> Yes No </div>
<p>Describe Basis for Conclusion:</p>	

3.

<p>[OS] a. If required, did the program participant and/or its subrecipients, for the time period being reviewed, maintain records on households displaced by activities funded under the program(s), which include:</p> <ul style="list-style-type: none"> i. race and ethnicity; ii. gender of single heads of households; and iii. addresses and census tracts of the housing units to which each displaced household relocated? 	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>[OS] b. Is the required race/ethnicity information maintained in the format prescribed by OMB for Federal agencies (e.g., Form HUD-27061)?</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

4.

<p>[OS] For the time period reviewed, did the program participant's records document that displaced persons were provided with advisory services which include information on their rights under the Fair Housing Act to: relocate to residences in areas of non-minority concentrations at their option; and provide referrals for minority persons to comparable and suitable decent, safe and sanitary replacement dwellings not located in areas of minority concentration?</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

C. BENEFICIARY DATA

5.

[OS] For the time period reviewed, did the program participant compile data on persons who had applied for, participated in, and/or benefited from, programs and activities funded in whole or in part with the program funds by the categories of race, ethnicity and, for single heads of households, gender (using Form HUD-27061, "Racial and Ethnic Data Reporting," when applicable)?	<input type="checkbox"/> <input type="checkbox"/>
Yes No	
Describe Basis for Conclusion:	

D. AFFIRMATIVE OUTREACH

6.

[OS] For the period reviewed, and if applicable under the relevant NOFA and Grant Agreement, did the program participant:	
a. Have an affirmative marketing strategy (e.g., a written strategy to market the program and its benefits to those least likely to apply without regard to race, color, national origin, sex, religion, familial status, and disability)?	<input type="checkbox"/> <input type="checkbox"/>
Yes No	
Describe Basis for Conclusion:	
b. Maintain records of actions taken to affirmatively market the program to those least likely to apply (including persons who are not "usual clients" of the participant)? Based on the prohibited bases and records to assess the results of these actions?	<input type="checkbox"/> <input type="checkbox"/>
Yes No	
Describe Basis for Conclusion:	

c. Maintain records to assess the results of these actions?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion:		

E. PROGRAM ACCESSIBILITY

7.

[OS] For the time period reviewed, and as appropriate to the specific NOFA and Grant Agreement, did the program participant comply with the new construction requirements, reasonable accommodation, and rehabilitation accessibility requirements of Section 504? [NOFA, Grant Agreement]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion:		

8.

Did the program participant comply with the requirements for accessible technology to make their programs fully accessible to employees and the public? [SuperNOFA or NOFA, General Section]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Describe Basis for Conclusion:		

F. PREFERENCES

9.

[OS] Does the program participant have procedures for selecting one or more of the statutorily targeted populations, if required by the applicable SuperNOFA, NOFA, or Grant Agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion:	

G. MINORITY AND WOMEN'S BUSINESS ENTERPRISES

10.

[OS] For the period reviewed, did the program participant document its outreach activities to minority business enterprises and women's business enterprises by maintaining: <ul style="list-style-type: none"> (a) data on the racial, ethnic, and gender characteristics of each business entity receiving a contract or subcontract of \$25,000 or more paid or to be paid with program funds? (b) data on the amount of the contract or subcontract? (c) Documentation of affirmative steps taken to assure that minority and women's business enterprises have an equal opportunity to compete for contracts and subcontracts as sources of supplies, equipment, construction, and services? [24 CFR 85.36(e) or 24 CFR 84.44(b)(1)]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion:	

H. ELIGIBILITY FOR FUTURE FUNDING

11.

Based on this review, is there evidence sufficient to warrant FHEO review of program participant compliance with nondiscrimination requirements prior to determining eligibility for any future funding under this NOFA? (If “yes,” describe below.)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		